

EXHIBIT 35

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA,

v.

JASON GALANIS,
GARY HIRST,
JOHN GALANIS, a/k/a “Yanni,”
HUGH DUNKERLEY,
MICHELLE MORTON,
DEVON ARCHER, and
BEVAN COONEY,

Defendants.

No. 16 Cr. 371 (RA)

DECLARATION OF DEVON ARCHER

I, Devon Archer, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a defendant in the above-captioned case. I submit this declaration in connection with my motion to suppress evidence derived from two post-Indictment Stored Communications Act warrants, and for the limited purpose of supporting that motion. This declaration is based upon my personal knowledge.

2. I am the user of the internet accounts darcher@rosemontseneca.com, hosted by Google, and darcher@rosemontcapital.com, hosted by Apptix. I used those accounts during the period from January 1, 2014, through May 11, 2016. I used those accounts for e-mail, to maintain contacts, and for other things. With respect to the Google account, I also stored documents on Google’s cloud-based storage system (known as Google Drive), and used various other Google products and services, such as the Google Chrome browser. The contents of those two accounts were private.

3. The accounts smomtazi@rosemontseneca.com, a Google account, and smomtazi@rosemontcapital.com, an Apptix account, belonged to Sebastian Momtazi. Mr. Momtazi used those accounts, including during the period from January 1, 2014, through May 11, 2016, in connection with his work for me. During that time period, although Mr. Momtazi held different titles, he functioned as a personal assistant to me, among other things. As a result, Mr. Momtazi was privy to personal and private details about my life and work and, in some cases, privileged communications.

I declare under penalty of perjury that the foregoing is true and correct.

Dated: January 16, 2018
New York, New York

A handwritten signature in black ink, appearing to read 'Devon Archer', written over a horizontal line.

Devon Archer